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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,954	10/02/2003	Chand Ratnayake	3918-0155P	5926
2292 7590 07/18/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			EXAMINER SHRESTHA, BIJENDRA K	
			ART UNIT 3691	PAPER NUMBER
			NOTIFICATION DATE 07/18/2007	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

<b>Office Action Summary</b>	Application No. 10/675,954	Applicant(s) RATNAYAKE, CHAND	
	Examiner Bijendra K. Shrestha	Art Unit 3691	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                               | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                      | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Priority*

1. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in CANADA 2,434,820 on 07/09/2003. It is noted, however, that applicant has not filed a certified copy of the CANADA 2,434,820 application as required by 35 U.S.C. 119(b).

### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4-10 and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Freeland, U.S. Pub No. 2002/0169640 (reference A in attached PTO-892) in view of Green et al. U.S. Patent No. 6,041,310 (reference B in attached PTO-892).

4. As per claim 1, Freeland teaches a scheme for facilitating a transaction involving a used motor vehicle including:

providing a market in which a plurality of used motor vehicles are adapted to be displayed to a potential buyer (see paragraph [0007]);

providing the resources associated with the market for the buyer to have the selected vehicle inspected for mechanical fitness (see Fig. 2; paragraph [0021], [0035]-[0041]);

providing the means associated with the market for the buyer to obtain information pertaining to the ownership of and any liens against the selected vehicle [see Fig. 5; paragraph [0012], [0046]- [0048]]; and

providing the resources associated with the market for the buyer to obtain a license for the selected vehicle in the jurisdiction in which the market is located (see page 7, claim 4; page 8, claim 13).

Freeland does not teach providing the resources associated with the market for the buyer to test-drive a selected vehicle.

Green et al. teach providing the resources associated with the market for the buyer to test-drive a selected vehicle (see Fig. 14, step 142).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to providing the resources associated with the market for the buyer to test-drive a selected vehicle of Freeland because Green et al. teach providing the resources associated with the market for the buyer to test-drive a selected vehicle would enable buyer to make decision on selected vehicle (Green et al., column 12, lines 36-37).

5. As per claim 2, Freeland et al. teach claim 1 as described above. Freeland further teaches the scheme including:

providing the resources associated with the market for the buyer to arrange the financial aspects of the transaction (see Fig. 6; paragraph [0050]); and

Freeland does not teach providing the resources associated with the market for the buyer to arrange insurance to cover the selected vehicle.

Green et al. teach providing the resources associated with the market for the buyer to arrange insurance to cover the selected vehicle (see Fig. 1, Finance & Insurance (500); column 3, lines 30-35).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to include providing the resources associated with the market for the buyer to arrange insurance to cover the selected vehicle of Freeland because Green et al. teach providing the resources associated with the market for the buyer to arrange insurance to cover the selected vehicle would enable to determine exactly monthly payment for purchase of an automobile from selected inventory (Green et al., column 3, lines 30-35).

6. As per claim 4, Freeland et al. teach claim 1 as described above. Freeland further teaches the scheme including

providing the resources at the market for the buyer to arrange a loan to cover the whole or part of the purchase price of the selected vehicle (see Fig. 6, paragraph [0090]; page 7-8, claim 10).

7. As per claim 5, Freeland et al. teach claim 1 as described above. Freeland further teaches the scheme including:

Freeland does not teach providing the resources at the market for the buyer to arrange insurance to cover the selected vehicle.

Green et al. teach providing the resources at the market for the buyer to arrange insurance to cover the selected vehicle (see Fig. 1, Finance & Insurance (500); column 3, lines 30-35).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to include providing the resources at the market for the buyer to arrange insurance to cover the selected vehicle of Freeland because Green et al. teach providing the resources at the market for the buyer to arrange insurance to cover the selected vehicle would enable to determine exactly monthly payment for purchase of an automobile from selected inventory (Green et al., column 3, lines 30-35).

8. As per claim 6, Freeland et al. teach claim 1 as described above. Freeland further teaches the scheme including:

providing the resources associated with the market for the buyer to obtain information pertinent to the legal requirements for obtaining a license to operate the motor vehicle (see page 7, claim 4).

9. As per claim 7, Freeland et al. teach claim 1 as described above. Freeland further teaches the scheme wherein

said means for obtaining information pertaining to the ownership of and any liens against the selected vehicle includes terminal having a processor adapted to create a link between the terminal and a storage device containing information pertaining to the

ownership of and any liens against the selected vehicle (see Fig. 5; paragraph [0046]-[0048]).

10. As per claim 8, Freeland et al. teach claim 1 as described above. Freeland further teaches the scheme wherein the resources associated with the market for the buyer to have the selected vehicle inspected for mechanical fitness include

a mechanic who receives no payment from the buyer and from a seller of the selected vehicle for carrying out the inspection (see paragraph [0040] and [0041]).

11. As per claim 9, Freeland et al. teach claim 8 as described above. Freeland further teaches the scheme including:

requiring the mechanic to do no work on the selected vehicle following the inspection (see Fig. 2; paragraph [0041] and [0042]).

12. As per claim 10, Freeland et al. teach claim 8 as described above.

Freeland does not teach said mechanic is paid by an operator of the market for carrying out the inspection.

Green et al. teach said mechanic is paid by an operator of the market for carrying out the inspection (see column 6, lines 24-33).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to include said mechanic is paid by an operator of the market for carrying out the inspection of Freeland because Freeland teaches that inspection should be neutral (Freeland, paragraph [0040]).

13. As per claim 14, Freeland teach claim 1 as described above. Freeland further teach the scheme including:

charging a fee for space occupied by a motor vehicle at said market (see paragraph [0031]; [0083] and [0084]).

14. As per claim 15, Freeland teach claim 1 as described above. Freeland further teach the scheme including:

charging a fee for admission to said market (see paragraph [0061] to [0067]).

15. As per claim 16, Freeland teach claim 1 as described above. Freeland further teach the scheme including:

charging a fee on each transaction involving a motor vehicle (see paragraphs [0061] to [0067] and paragraph [0083] to [0089]).

16. As per claim 17, Freeland teach claim 1 as described above. Freeland further teaches the scheme including:

providing the resources associated with the market to carry out an exhaust emission test on the selected vehicle (see Fig. 1 and 2; paragraph [0031], [0036], [0039] and [0041]; the Examiner interprets inspection and mechanical examination of acquired vehicles include emission test which is required by state law for resale of used vehicles).

17. Claims 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Freeland, U.S. Pub No. 2002/0169640 (reference A in PTO-892) in view of Green et al., U.S. Patent No. 6,041,310 (reference B in attached PTO-892) further in view of Cauchon et al. (reference C in attached PTO-892).



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18. As per claim 3, Freeland in view of Green et al. teach claim 2 as described above.

Freeland in view of Green et al. do not teach providing the resources associated with the market for the buyer to obtain legal advice concerning the transaction.

Cauchon et al. teach providing the resources associated with the market for the buyer to obtain legal advice concerning the transaction (see Fig. 6 and Fig. 7).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to include providing the resources associated with the market for the buyer to obtain legal advice concerning the transaction of Freeland in view of Green et al. because Cauchon et al. teach incorporating above features would provide effective and accurate information or advice about everyday legal problem and enable to confront them (Cauchon et al, paragraph [0005]).

19. Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Green et al. U.S. Patent No. 6,041,310 (reference B in attached PTO-892) in view of Freeland U.S. Pub No. 2002/0169640 (reference A in attached PTO-892).

20. As per claim 11, Green et al. teach a scheme for facilitating the arranging of a lease involving a used motor vehicle (see column 1, lines 17-19) including:

providing a market in which a plurality of used motor vehicles are adapted to be displayed to a potential lessee (see column 1, lines 23-26; Fig. 7, column 8, lines 16-48);

providing the resources at the market for the lessee to test-drive a selected vehicle (see Fig. 14, column 12, lines 14-15; Table 11);

providing the resources at the market for the lessee to have the selected vehicle inspected for mechanical fitness (see Fig. 1, Check-in system (18); column 6, lines 24-33);

providing the resources at the market for the lessee to obtain an explanation of the contents of a lease under which the lessee would have the use of the selected vehicle for a specified time (see Fig. 11, step 308; Fig. 14, step 146); and

Green et al. do not teach providing the resources at the market for the lessee to obtain a license plate for the selected vehicle.

Freeland teaches providing the resources at the market for the lessee to obtain a license plate for the selected vehicle (see Fig. 4, Transfer Title, Transfer Registration or apply for New Plate and Registration (issue Temporary Plate)).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to provide the resources at the market for the lessee to obtain a license plate for the selected vehicle of Green et al. because Freeland teaches that providing the resources at the market for the lessee to obtain a license plate for the selected vehicle would maximizes the value of titled asset and enables a buyer and seller to safely complete the transaction (see Freeland, paragraph [0012]).

21. As per claim 12, Green et al. teach claim 11 as described above. Green et al. further teach the scheme including:

providing the resources at the market for the lessee to arrange insurance to cover the selected vehicle (see Fig. 1, Finance & Insurance (500); column 3, lines 30-35).

22. As per claim 13, Green et al. teach claim 11 as described above.

Green et al. do not teach providing a terminal at the market for receiving inquiries by a lessee for information pertaining to the ownership of and any liens against the selected vehicle and for displaying responses thereto, the terminal having a processor adapted to create a link between the terminal and a storage device containing said information.

Freeland teaches providing a terminal at the market for receiving inquiries by a lessee for information pertaining to the ownership of and any liens against the selected vehicle and for displaying responses thereto, the terminal having a processor adapted to create a link between the terminal and a storage device containing said information (see Fig. 5; paragraph [0046] to [0048]).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to providing a terminal at the market for receiving inquiries by a lessee for information pertaining to the ownership of and any liens against the selected vehicle and for displaying responses thereto, the terminal having a processor adapted to create a link between the terminal and a storage device containing said information of Green et al. because Freeland teaches incorporating above features would maximizes the value of titled asset and enables a buyer and seller to safely complete the transaction (see Freeland, paragraph [0012]).

***Conclusion***

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosures. The following are pertinent to current invention, though not relied upon:

Berent et al. (U.S. Patent No. 5,774,873) teach electronic on-line motor vehicle auction and information system

Defrancesco et al. (U.S. Patent No. 7,181,427) teach automated credit application.

Ellenson et al. (U.S. Pub No. 2005//0108112) teach system and method for facilitating the real-time pricing, sale and appraisal of used vehicles.

Ertle (U.S. Pub No. 2004/0068442) teaches method and system of locating and selling pre-owned vehicles.

Nelson (U.S. Patent No. 6,922,674) teaches computer implemented purchasing system with aftermarket product display.

Raine (U.S. Patent No. 7,228,298) teaches apparatus and method for perusing selected vehicle having a clean title history.

Shishido (U.S. Patent No. 6,772,145) teaches search method in a used car search support system.

Shishido. (U.S. Patent No. 7,184,974) teaches online used car information search method, program, and device.

Stiberman (U.S. Pub No. 2002/0099618) teach vehicle lease exchange method and system.

Wakabayashi et al. (U.S. Patent No. 7,028,002) teach car sale information providing system and method , and car dealing system.

Wolfe et al. (U.S. Patent No. 6,282,517) teach real time communication of purchase requests.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bijendra K. Shrestha whose telephone number is (571) 270-1374. The examiner can normally be reached on 7:00 AM-4:30PM (Monday-Friday); 2nd Friday OFF.

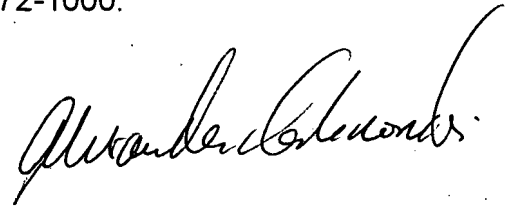
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272-6771. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

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USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BKS

A handwritten signature in black ink, appearing to read "Alexander Kalinowski". The signature is fluid and cursive, with a long horizontal stroke at the end.

ALEXANDER KALINOWSKI  
SUPERVISORY PATENT EXAMINER